

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2013 SEP -5 PM 4:00

DEPUTY CLERK *EJB*

MICHAEL DON DENTON,

Petitioner,

v.

2:12-CV-0192

WILLIAM STEPHENS, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION
and DENYING RESPONDENT'S MOTION TO DISMISS**

Came for consideration the Motion to Dismiss as Time-Barred Pursuant to 2244(d) filed by respondent WILLIAM STEPHENS on January 11, 2013. On August 19, 2013, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that respondent's motion to dismiss be denied. Both petitioner and respondent have filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has reviewed the Report and Recommendation of the Magistrate Judge, as well as the parties' objections, and has made an independent examination of the record in this case. The District Judge is of the opinion that both objections should be, and hereby are, OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, respondent's motion to dismiss is DENIED.

IT IS SO ORDERED.

ENTERED this 5th day of September 2013.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE